

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

PATRICIA BURKE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:16cv1256 (LO/JFA)
)	
JAMES MATTIS, Secretary, United States)	
Department of Defense,)	
)	
Defendant.)	
_____)	

DEFENDANT’S WITNESS LIST

Pursuant to this Court’s order of February 15, 2017 (Dkt. No. 10), Defendant James Mattis, Secretary, United States Department of Defense, through his undersigned counsel, hereby respectfully submits the following list of potential witnesses for the trial of the above-captioned matter.

WITNESSES

In accordance with Federal Rule of Civil Procedure 26(a)(3), the witnesses marked with an asterisk are those Defendant expects to present at trial. The remaining witnesses are those Defendant may call if the need arises. Defendant reserves the right to seek to present the testimony of such witnesses by *de bene esse* deposition or through discovery deposition testimony if the witness in question is, unbeknownst to Defendant at the present time, unavailable for trial.

The witness list below reflects only the present status of this litigation. Accordingly, Defendant reserves the right to amend this list—including eliminating proposed witnesses—

should further litigative developments (including, *inter alia*, positions advanced by Plaintiff) warrant.

1. Mark Allen*
2. David Bauer*
3. Nelson Bishop
4. Elizabeth Blackmon
5. Michael Buckley*
6. Julie McGovern
7. Franklin Malafarina*
8. William Stephens*
9. Carl Taylor*
10. Patricia Burke*
11. Any other witness designated by Plaintiff to whom Defendant does not object.

Dated: July 13, 2017

Respectfully submitted,

DANA J. BOENTE
UNITED STATES ATTORNEY

By: _____/s/
ANDREW S. HAN
Assistant United States Attorney
Office of the United States Attorney
Justin W. Williams U.S. Attorney's Building
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tel: (703) 299-3970
Fax: (703) 299-3983
Email: andrew.han@usdoj.gov
Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of electronic filing (NEF) to the following counsel of record:

Jacob M. Small
J. Madison PLC
1750 Tysons Boulevard
Suite 1500
McLean, Virginia 22102
T: (703) 910-5062
F: (703) 910-5107
E: jmsmall@jmadisonplc.com

_____/s/_____
Andrew S. Han
Assistant United States Attorney
Office of the United States Attorney
Justin W. Williams U.S. Attorney's Building
2100 Jamieson Ave.
Alexandria, VA 22314
Tel: (703) 299-3970
Fax: (703) 299-3983
Email: andrew.han@usdoj.gov